

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

Johnnie M. DuBose,)	
)	C. A. No. 07-45***
Plaintiff,)	
)	
)	
v.)	
)	
Michael Walsh, New Castle County Sheriff,)	
in his official capacity, American Business)	
Credit Inc., Robert K. Beste, Jr. and Maggie)	
Clausell)	

**MOTION TO SUPPLEMENT DEFENDANTS MICHAEL WALSH AND
NEW CASTLE COUNTY'S MOTION TO DISMISS**

Defendants Michael Walsh, in his official capacity as Sheriff of New Castle County and New Castle County by and through their attorney, respectfully move pursuant to Fed. R. Civ. P. 15(d), to supplement the initial Motion to Dismiss and Opening Brief in support of the Motion to Dismiss filed by Donald L. Gouge, Jr. In support of this motion Defendants offer the following:

Initially, Donald L. Gouge, Jr. was representing Michael Walsh, and the New Castle County Sheriff. Mr. Gouge routinely represents the Sheriff's Office in certain matters including but not limited to sheriff's sales. Therefore, Mr. Gouge filed a Motion to Dismiss on behalf of Michael Walsh and the New Castle County Sheriff. It was later determined that the New Castle County Department of Law would provide representation to Michael Walsh and New Castle County. In addition to the reasons stated in the Opening Brief of Defendants Michael Walsh and the New Castle County Sheriff there are additional reasons the instant Complaint should be dismissed. Therefore, by and through the undersigned counsel Michael Walsh and New Castle County respectfully request leave of the Court to supplement the initial Motion to Dismiss and

Opening Brief in support thereof filed with the Court.

/s/ Michele D. Allen

Michele D. Allen, (I.D. No. 4359)

Assistant County Attorney

New Castle County Law Department

87 Reads Way

New Castle, Delaware 19720

(302) 395-5130

*Attorney for Defendants Michael Walsh and New
Castle County*

Dated: March 13, 2007

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

Johnnie M. DuBose,

Plaintiff,

V.

**Michael Walsh, New Castle County Sheriff,
in his official capacity, American Business
Credit Inc., Robert K. Beste, Jr. and Maggie
Clausell**

C. A. No. 07-45***

ORDER

AND NOW this day of , 2007, it

is hereby ORDERED AND DECREED that Defendants Michael Walsh and New Castle County's Motion to Supplement the Motion to Dismiss is **GRANTED**.

J.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

Johnnie M. DuBose,)	
)	C. A. No. 07-45***
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CERTIFICATE OF SERVICE

I, Michele D. Allen, Assistant County Attorney hereby certify that on March 13, 2007, I sent copies via U.S. Mail postage prepaid to *Pro se* plaintiff and counsel as follows as well as electronically filed the foregoing "Motion to Supplement Defendants Michael Walsh and New Castle County's Motion to Dismiss" with the Clerk of the Court using CM/ECF which will send notification of such filing to the following:

Johnnie DuBose
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/s/ Michele D. Allen
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